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State Capitol - B35 South
P.O.Box 7882
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Vote Record

Senate - Committee on Human Services and Aging

Date:	10/7/99		 		,
Bill Number:	5B 144				
Moved by:	Wirch	Seconde	ed by:	RORSS	ler
Motion:			_		
	PUS	suge			
Committee	Member	Aye	No	Absent I	Not Voting
Sen. Judy Rob	oson, Chair				
Sen. Gwendol	ynne Moore				
Sen. Robert W	/irch	\square			
Sen. Carol Ro	essler				
Sen. Peggy Ro	osenzweig				
	Totals:	4			
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	Motion Carried		Motion Fa	ailed	



September 27, 1999

Mr. Ira Sharenow 4817 Sheboygan Ave., #617 Madison, WI 53705

Dear Mr. Sharenow:

Enclosed please find the following material that you requested regarding the meeting of the Senate Committee on Human Services and Aging:

- 1. Hearing slips for SB 22;
- 2. Written materials submitted by David Remes, a representative of the tobacco companies, who testified against SB 22;
- 3. Hearing slips for SB 144;
- 4. Written testimony regarding SB 144 from persons registering as representatives of Wisconsin State Employees Local 1;
- 5. Two simple amendments to SB 115; and
- 6. A substitute amendment to SB 122.

Regarding your other requests:

The document referred to in SB 115 (Clinical Practice Guideline, No. 18, Smoking Cessation, published by the U.S. Department of Health and Family Services) is more than 125 pages. If you would like to inspect this document in our office, please make an appointment to do so.

You asked whether a number of treatments such as herb teas, natural medicine, massage, etc. would be included under SB 115. These treatments are not specified in SB 115, so it is my understanding that coverage for these treatments would not be required.

You also asked how much money coverage might cost and asked for an itemized list of costs for doctors' fees, medicine, lab tests and other costs. You also asked for averages, medians and a standard range that covers 99% of the cases in which a person chooses a method that requires payment of a fee.





DATE:

September 23, 1999

TO:

Members of the Senate Human Service and Aging Committee

FROM:

Maureen Cassidy

American Heart Association

(608) 221-8866

Jeff Ranous

American Cancer Society (414) 523-5500 ext. 149

RE:

Support of Senate Bill 144

Secondhand smoke is the third leading cause of preventable death in this country, killing 53,000 nonsmokers in the United States each year. For every eight smokers who die from smoking related illness, one nonsmoker suffers the same fate.

The Environmental Protection Agency (EPA) has classified secondhand smoke as a Group A Carcinogen, a substance known to cause cancer in humans. There is no safe level of exposure for Group A toxins. The smoke from the burning end of a cigarette contains over 4,000 chemicals and 40 carcinogens including: formaldehyde, cyanide, arsenic, carbon monoxide, methane and benzene. A recent survey in New Zealand indicated that inhaling secondhand smoke makes non-smokers 82 percent more likely to suffer a stroke.

Since there is no longer any genuine scientific debate about the harmful effects of secondhand smoke, we believe it is only logical to afford protections to nonsmokers who do not wish to be exposed to this serious health risk.

As a public building which conducts the business of the people, the State Capitol is a facility that should be held to the highest of standards. With thousands of people each year visiting our Capitol, it behooves the state to provide a building that is safe for all.

We urge you to act favorably on SB144 and would like to thank you in advance for your consideration. Please do not hesitate to contact us if you have any questions or would like additional information.

P.O. Box 8953, State Capitol Madison, Wisconsin 53708-8953 (608) 267-7990 • Toll-Free: (888) 534-0053 Fax: (608) 282-3653 Rep.Owens@legis.state.wi.us

> 144 County Road C Oshkosh, Wisconsin 54904 (920) 589-4262

TESTIMONY ON SENATE BILL 144

Prohibiting Smoking in the State Capitol Building and on Capitol Grounds
Before the Senate Committee on Human Services and Aging
By Representative Carol Owens
September 23, 1999

Good morning members of the Senate Committee on Human Services and Aging. The Assembly reconvenes at 10:00 this morning, therefore, I am submitting my written testimony in *support* of Senate Bill 144.

As a member of the Capitol and Executive Residence Board (SCERB), I have first-hand knowledge of the work and dollars that have gone into restoring our beautiful Capitol building. To help protect this building (paint and furniture) and the thousands of people who visit it each year, I am asking for your support of Senate Bill 144.

As the author of Assembly Bill 308, a companion bill to SB 144, the following paragraphs will explain the language of both bills and the reasoning behind my belief that this should be passed into law.

The language reads to restrict smoking in the State Capitol and on the Capitol grounds – this restriction is from the *curb up to the Capitol* building.

At present, state buildings maintained and operated by the Department of Administration (DOA) prohibit smoking in the buildings. However, DOA does give each Department Secretary the right to decide the strictness of no smoking rules for outside their buildings (some have an outside patio area where employes/visitors may smoke). Buildings not under the direction of DOA, which house WHEDA, DFI and DER have policies set by the individual property management. We are aware that each of these buildings have been designated no smoking by property management.

On June 1, 1999, Secretary Leean from the Department of Health and Family Services (DHFS) designated the "Wilson" Building a totally smoke free environment. Prior to that, employees and visitors were allowed to smoke outside the building. Problems occurred from cigarette smoke drifting into the building through vents and stairwells. Because of health concerns for the employees, and this being the department handling health issues, according to Secretary Leean, it made perfect sense for him to make this decision.

Testimony on Senate Bill 144 By Representative Carol Owens September 23, 1999

The Capitol Buildings and Grounds office staff and crew have informed me that they do support the bill. They are constantly cleaning up the mess associated with cigarette butts being tossed on the sidewalks and in the doorways leading into the Capitol building.

I also have a problem with what I have observed outside the window of the first floor (West) Women's restroom. Individuals sit on the window ledge to smoke and leave behind their cigarette butts. Problems occur when the window is cracked open and the smoke drifts into the restroom.

Another strong argument of mine is the fact that we went after the tobacco companies and received a large tobacco settlement. However, we allow smoking in our Capitol building and subject our visitors to secondhand smoke.

On a final note, I know many of you remember our former Assembly Chief Clerk, Thomas T. Melvin. For those of you who don't, Tom worked in the Assembly for 30 years and was a very intelligent, witty and likeable man. Tom retired from the Legislature on January 31, 1995. He had a little over two years to enjoy his retirement life...Tom died on July 30, 1997 from lung cancer. If you have not already heard about it or seen it's ads, there is a B-FREE FROM TOBACCO Program named after Tom. We encourage our children to remain tobacco free, but yet when their school groups visit the Capitol, we subject them to walking through secondhand smoke and seeing cigarettes butts all over the Capitol grounds.

Again, I ask of your support for SB 144.

State Medical Society of Wisconsin

Advancing the health of the people of Wisconsin

TO:

Senator Judy Robson, Chair

Members, Senate Committee on

Human Services and Aging

FROM:

Kathy Andersen, Associate Director

Government Relations

DATE:

September 23, 1999

RE:

Support for Senate Bill 144

On behalf of the 8,000 physician members of the State Medical Society of Wisconsin, and the patients they serve, I would like to extend our support for Senate Bill 144. It is time for the State Capitol to become entirely smokefree.

The State Capitol is our greatest monument and we are spending millions to maintain its history and beauty. Workers in, and visitors to, the state capitol deserve to be in an environment that is free from the chemicals in tobacco smoke which are known to cause cancer in humans. It is appropriate to include the capitol grounds in the ban since there are many public events where, just as in a stadium, people are in close proximity to each other.

I have attached a report published by the Center for Tobacco Research and Intervention which extensively discusses the detrimental impact of environmental tobacco smoke. The State Medical Society urges your support for SB 144.

WISCONSIN RESIDENTS AT RISK:

ENVIRONMENTAL TOBACCO SMOKE IS HAZARDOUS TO EVERYONE'S HEALTH



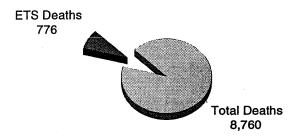
Center for Tobacco Research and Intervention University of Wisconsin Medical School

FACT: ENVIRONMENTAL TOBACCO SMOKE IS HAZARDOUS TO EVERYONE'S HEALTH.

KEY FACTS:

- ► Environmental tobacco smoke (ETS) has been designated a Group A carcinogen by the *United States Environmental Protection Agency*. Compounds in this group have been proven to cause cancer in humans.¹
- ► Tobacco smoke contains over 4,000 different chemicals, 43 of which are known to cause cancer in humans.¹
- ► Nationwide, approximately 3,000 lung cancer deaths per year in healthy nonsmokers are attributed to ETS.¹
- Nonsmokers living with smokers are twice as likely to die from lung cancer than are members of a non-smoking household.²
- Nonsmokers who live with smokers are 30% more likely to die of heart disease than are nonsmokers living with nonsmokers.³
- ► ETS claims the lives of 776 Wisconsin residents annually.⁴

Annual Wisconsin Deaths Due to Smoking



FACT: WISCONSIN RESIDENTS WANT TO BE PROTECTED FROM ENVIRONMENTAL TOBACCO SMOKE.

Legal Smoking Restrictions and Bans in Wisconsin			
Location	Smoking Restricted	Smoking Banned	
Offices	X		
Factories	(1)		
Retail Stores/Shopping Malls	X / (2)		
Restaurants	X	-	
Schools		X	
Day Care Centers		X	
Hospitals/Doctor's Offices	ŕ	X	
Nursing Homes	X	ar-	
Governmental Buildings	X		
Correctional Institutes	X		

KEY FACTS:

- ► The Wisconsin Clean Indoor Air Act has led the way in protecting citizens from ETS.⁵
- ► Wisconsin residents want smoking to be restricted in homes, worksites, restaurants, bars, and sporting events.⁶
- Greater than 90% of Americans favor restricting or banning smoking in public places.⁷
- (1) Only in offices, public waiting areas, and elevators.
- (2) Same as note (1) plus retail stores; some voluntary bans.

FACT: ENVIRONMENTAL TOBACCO SMOKE IS HARMFUL TO WISCONSIN'S CHILDREN.

KEY FACTS:

- Forty percent of Wisconsin children live in a home where cigarette smoking is allowed.⁸
- Nationwide, nine million children under the age of 5 live in homes where someone smokes and are exposed to ETS.⁹
- Six percent of perinatal deaths in Wisconsin are due to ETS-related complications.
- ► An estimated 4,000 infants die annually in the United States because of their mother's smoking.¹¹

ETS: The Toll on Children

300,000 cases of respiratory infections nationwide, including bronchitis and pneumonia

15,000 infants and children under 18 months are hospitalized

A major cause of middle ear infections, chronic cough, asthma

Greatly increases risk of Sudden Infant Death Syndrome (SIDS)

Wisconsin Children Exposed to Environmental Tobacco Smoke in their Homes ⁸				
Age	Total Number of Wisconsin Children	Exposed to Environm Percent	nental Tobacco Smoke <i>Number</i>	
0 - 5 years	437,000	42%	184,000	
6 - 17 years	852,000	39%	332,000	
All children	1,289,000	40%	516,000	

FACT: SMOKEFREE WORKPLACES IN WISCONSIN PROTECT HEALTH AND INCREASE REVENUE.

Wisconsin Public Attitudes Regarding Environmental Tobacco Smoke			
Site	Favoring Some Restriction on Smoking	Favoring Ban on Smoking	
Home	67%	36%	
Worksite	96%	56%	
Restaurants	95%	40%	
Shopping Malls	94%	53%	
Indoor Sporting Events	95%	67%	

KEY FACTS:

- Ninety-four percent of all Wisconsin companies have a smoking policy to protect workers from the harmful effects of ETS.¹²
- ► Among these, 54% are totally smoke-free. 12
- Fifty-four percent of all Wisconsin employees favor a total ban on smoking in the indoor workplace, including 32% of Wisconsin employees who smoke.¹³
- Restaurant revenue increases when smoking is prohibited in the establishment.¹³
- ► All restaurants in Madison became 100% smokefree on July 4, 1995.

CRITICAL STEPS TO PROTECT WISCONSIN RESIDENTS FROM ENVIRONMENTAL TOBACCO SMOKE

- 1. Enact laws to make all indoor work areas—public and private—smokefree.
- 2. Educate parents and pregnant women about the dangers of environmental tobacco smoke, thereby promoting smokefree living areas.
- 3. Make all restaurants, sporting arenas, and shopping malls 100% smokefree.
- 4. Reduce the rate of smoking in Wisconsin homes with children under the age of six from 42% (the current level) to 10% as proposed by *Healthy People 2000*.
- 5. Enact laws to make all schools—at all levels, public and private—smokefree.

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- 12. Smoking Policies and Practice Survey. MRA-Institute of Management, Inc. May, 1995, Brookfield, WI.
- 13. Wisconsin Initiative on Smoking and health. (1994) Smoke-free Restaurant Ordinances: Profits of Peril? Wisconsin Initiative on Smoking and Health, Milwaukee, WI.

The Center for Tobacco Research and Intervention would like to thank Michael Hartman, Eric Stecker, and Scott Woller who assisted on this project.

CENTER FOR TOBACCO RESEARCH AND INTERVENTION

Madison, WI 53706

COMMENTS ON SB144, September 23, 1999

1) The employer (State of Wisconsin) is responsible for the physical safety, health and well being of its employees, while they are on their assigned breaks. Forcing individuals to be removed from the premises may put them in situations where they may fall in harms way. Is the employer prepared to accept this responsibility, and pay for worker's compensation claims that may arise from incidents that occur off premises, when the employer has ordered the employee off the premises? As a taxpayer. I find this quite disturbing, since there are enough hazards in and around the Capitol, especially with all the construction that has been taking place.

2) I would recommend at least one area, which is covered and at least somewhat enclosed, where employees can go and smoke.

- The Clean Indoor Air Act (generally 101.123 Wis. Stats.) currently provides for smoking indoors. See 101.123(4).
- The businesses that surround the square must be really excited about the proposition of having state employees crowding in and around their doorways during inclement weather, impeding the access of their customers.
- The Capitol Square, as I understand it, is a State Park. I strongly object to setting the precedent of having a "smoke-free" State Park.
- Before a totally unreasonable rule is imposed, the existing rules -one for instance which prohibits drinking on the grounds - Mr./Ms. Legislator, should be enforced.

Sincerely, Daniel J. Duchrow 1239 N. Forest Lane Prairie du Sac, WI 53578

I can only add, I am a represented employee - I work some time as the clome security guide, that; on the observation deck 6-1/2 floors up. This bill is burden some to me. The with the passage of the last statememployees contract you have an obligation to allow two, paid, 15-minus breaks, Extending the no smoking some makes compliance More difficult.

- What about all those people drink agexotic Cup of coffee at the formers Market and then get busted when they sit on the steps there are not enough seats across the street for everyone.

(More)

How will they feel when they see Marijuana suly smokers \$ lighting up at the State capital mollies allies who will enforce this 3 the Capital police have enough work - Even the DOA Klaus Haus Nas an indoor smoking area. Thank you for your prompt consideration of this matter Duane Johnson

2425 Upham St

Madison 53747-7496

BOX 7696